KluwerLitigation.com
via
CCH Internet Research NetWork

Participant Training Guide

CCH INCORPORATED
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Wolters Kluwer

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Introduction

Welcome to training for KluwerLitigation, a fully-searchable database with materials in the field of International Litigation, offering an overview of all commercial litigation issues of foreign markets, including choice of law, international jurisdictions, international contracts, as well as the recognition and enforcement of foreign judgment and awards.

KluwerLitigation is brought to you by Kluwer Law International, which is now Wolters Kluwer Law and Business.

This guide is intended for use during a training session conducted by a CCH Legal Training Consultant. It will also serve as a helpful reference tool, once the training has been completed.

Objectives

Upon completion of this course, you will be able to:

- Access the KluwerLitigation.com website
- Use the Table of Contents to browse through documents
- Conduct searches to find selected information
- Navigate through search results
- Obtain additional support

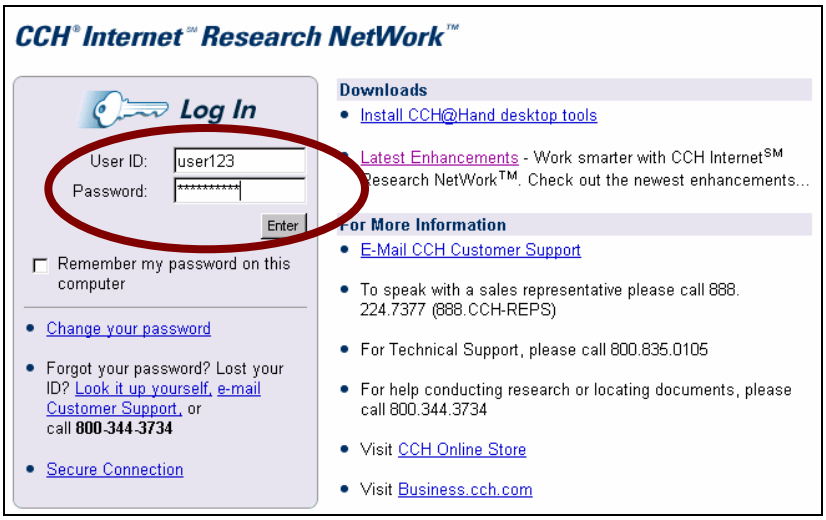
Accessing the Website

Access to KluwerLitigation is available via CCH Internet Research NetWork*

1. Go to: **http://business.cch.com/network**

   Note: Add this to your Browser Favorites for easy access later

2. Enter your **User ID** and **Password**, and click **Enter**


CCH Internet Research NetWork
Log In
User ID:
user123
Password:
Enter
Remember my password on this computer
Change your password
Forgot your password? Lost your ID? Look it up yourself, e-mail Customer Support, or call 800-344-3734
Secure Connection
Downloads
Install CCH@Hand desktop tools
Latest Enhancements - Work smarter with CCH Internet Research NetWork. Check out the newest enhancements...
For More Information
E-Mail CCH Customer Support
To speak with a sales representative please call 888.224.7377 (888.CCH-REPS)
For Technical Support, please call 800.835.0105
For help conducting research or locating documents, please call 800.344.3734
Visit CCH Online Store
Visit Business.cch.com

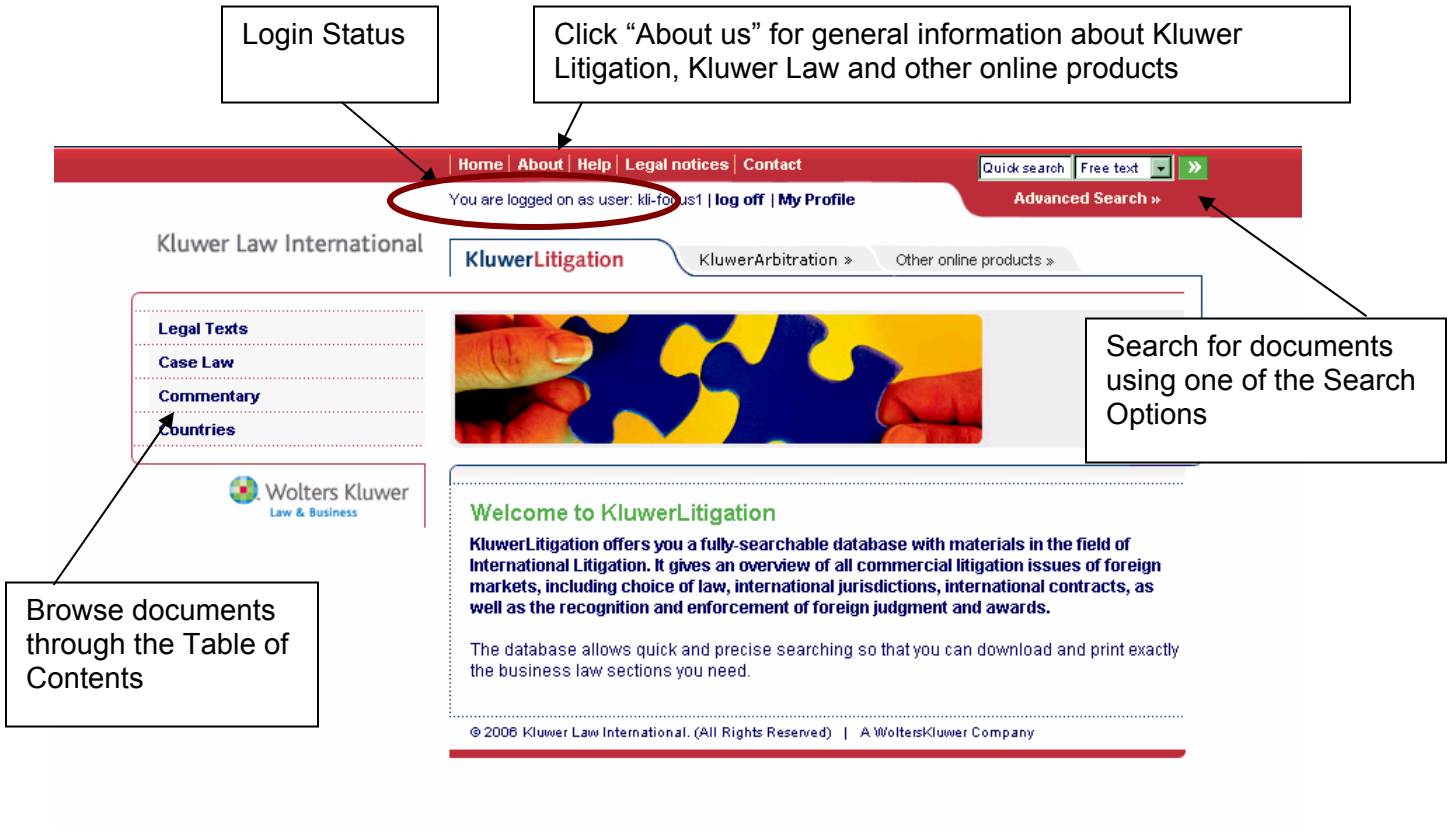
3. Click on the **International** tab

4. Click on the link for **Kluwer Law International KluwerLitigation.com subscribers**

** Subscribers can also login directly at http://kluwerlitigation.com. CCH IRN users should click 'IRN customers please login here' to continue with login If your subscription is based on IP address recognition or referring URL access, you will be logged on automatically without having to enter a username and password..*

KluwerLitigation – Home Page

You have a flat-rate, annual subscription to KluwerLitigation.com. You will not incur additional charges for time spent online, number of searches conducted, or number of documents retrieved/printed.


Login Status
Click “About us” for general information about Kluwer Litigation, Kluwer Law and other online products
Home | About | Help | Legal notices | Contact
Quick search
Free text
Advanced Search »
You are logged on as user: kli-focus1 | log off | My Profile
Kluwer Law International
KluwerLitigation
KluwerArbitration »
Other online products »
Legal Texts
Case Law
Commentary
Countries
Wolters Kluwer
Law & Business
Welcome to KluwerLitigation
KluwerLitigation offers you a fully-searchable database with materials in the field of International Litigation. It gives an overview of all commercial litigation issues of foreign markets, including choice of law, international jurisdictions, international contracts, as well as the recognition and enforcement of foreign judgment and awards.
The database allows quick and precise searching so that you can download and print exactly the business law sections you need.
© 2006 Kluwer Law International. (All Rights Reserved) | A WoltersKluwer Company
Search for documents using one of the Search Options
Browse documents through the Table of Contents

There are two ways to access information within KluwerLitigation:

- Table of Contents (left side bar)
- Search (top right corner of display)

You can browse and search freely through KluwerLitigation.com, but documents are only accessible for subscribers.

Table of Contents -- Browsing

Browse to specific information using the Table of Contents links on the left side-panel

All materials are grouped into three categories that are browsable through the tree in the left-hand frame of your screen: Legal Texts, Case Law, and Commentary.

- **Legal Texts** –contains the most important international instruments dealing with International Commercial Litigation. If available, documents in this category will contain a link to a list of Contracting States.

- **Case Law** – The basic subdivision for Case law is by Convention. For most conventions you can choose between court decisions from the European Union or the United States. The New York Convention contains court decisions from many more countries.

- **Commentary** –contains monographs from looseleafs that are included in KluwerLitigation. At the moment, the library contains monographs from the following looseleafs:

  -- Anthony Colman (ed.), *Encyclopedia of International Commercial Litigation* (Kluwer Law International)
  -- Louis Garb (ed.), *Enforcement of Foreign Judgments* (Kluwer Law International)
  -- Piet Taelman (ed.), *International Encyclopeadia of Laws: Civil Procedure* (Kluwer Law International)

Notes: Please note that the database does not contain all country reports from the looseleafs from Colman and Garb. For these two looseleafs, most countries that are party to one of the Conventions in the database should be included.

Table of Contents – Browsing (continued)

Browsing By Countries

The left-hand frame also offers an additional entry in the material: Countries

The Country Index presents the conventions, full text commentary, and court decisions for each listed country.

The conventions are presented in a quick reference table that provides you with the details of the country's membership. It includes information on dates, and links to reservations and declarations, extensions and national authorities responsible for the implementation

Table of Contents – Browsing (continued)

International Instruments

The country page is not only an alternative route into the material. For each country, it also gives you a list of international instruments that country is a party to.

Home | About | Help | Legal notices | Contact
Quick search | Free text
Advanced Search »
You are logged on as user: kli-focus1 | log off | My Profile
Kluwer Law International
KluwerLitigation
KluwerArbitration »
Other online products »
Legal Texts
Case Law
Commentary
Countries
Countries
→ A-C (countries) → China → International Instruments
China - International Instruments
International Instrument | Signature | R/A/SU/C/D | Entry into Force | Ext | Auth | Res/D/N
Service Convention | - | 6 May 1991A | 1 Jan 1992 | - | Show | Show
New York Convention | - | 22 Jan 1987A | - | Show | - | Show
Evidence Convention | - | 8 Dec 1997A | 6 Feb 1998 | - | Show | Show
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Law & Business
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International instruments a country is a party to.

The following is a legend for the abbreviations you find in the table:

- R=Ratification
- A=Accession*
- C=Continuation
- SU=Succession
- D=Denunciation
- Ext=Extension of application
- Auth=Designation of Authorities
- Res/N/N=Reservations, Declarations, or Notifications

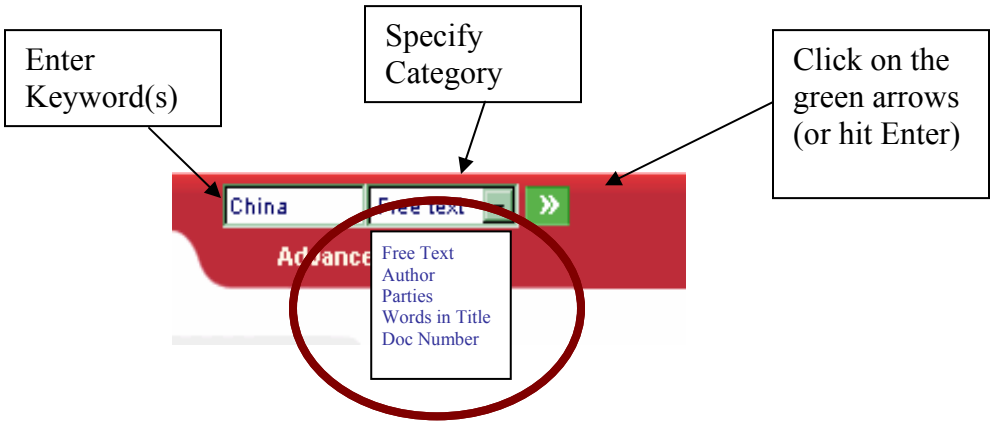
Note: In case an accession gives rise to an accession procedure, the date will be linked.

Searching

Use the **Search Options** to conduct specific searches. There are two main types of searches: Quick and Advanced.

Quick Search

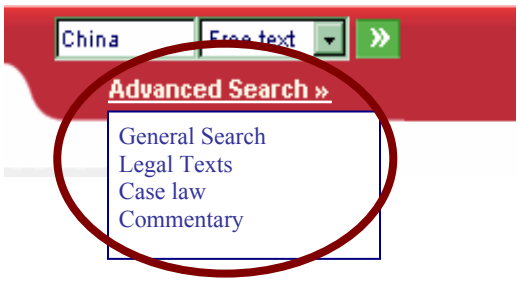
With the Quick search option you can quickly search through the entire database. You can limit you search from here by choosing a specific category from the drop down menu. Specific categories include: **Free Text (default option)**, **Author, Parties**, **Words in Title**, and **Doc Number**. The search works like a natural language search -- the "**AND**" connector is implied).



Advanced Search

The Advanced search menu allows you to create more complex search requests by choosing between several search forms, which can be accessed from the drop down menu. The drop down menu gives you a choice between a **General Search**, a search in **Legal Texts**, **Case Law** or **Commentary**.

The **General Search** will perform a search through all contents categories and sources by default. You can change this by selecting specific categories in the **General Search** form to which you want to restrict your search.



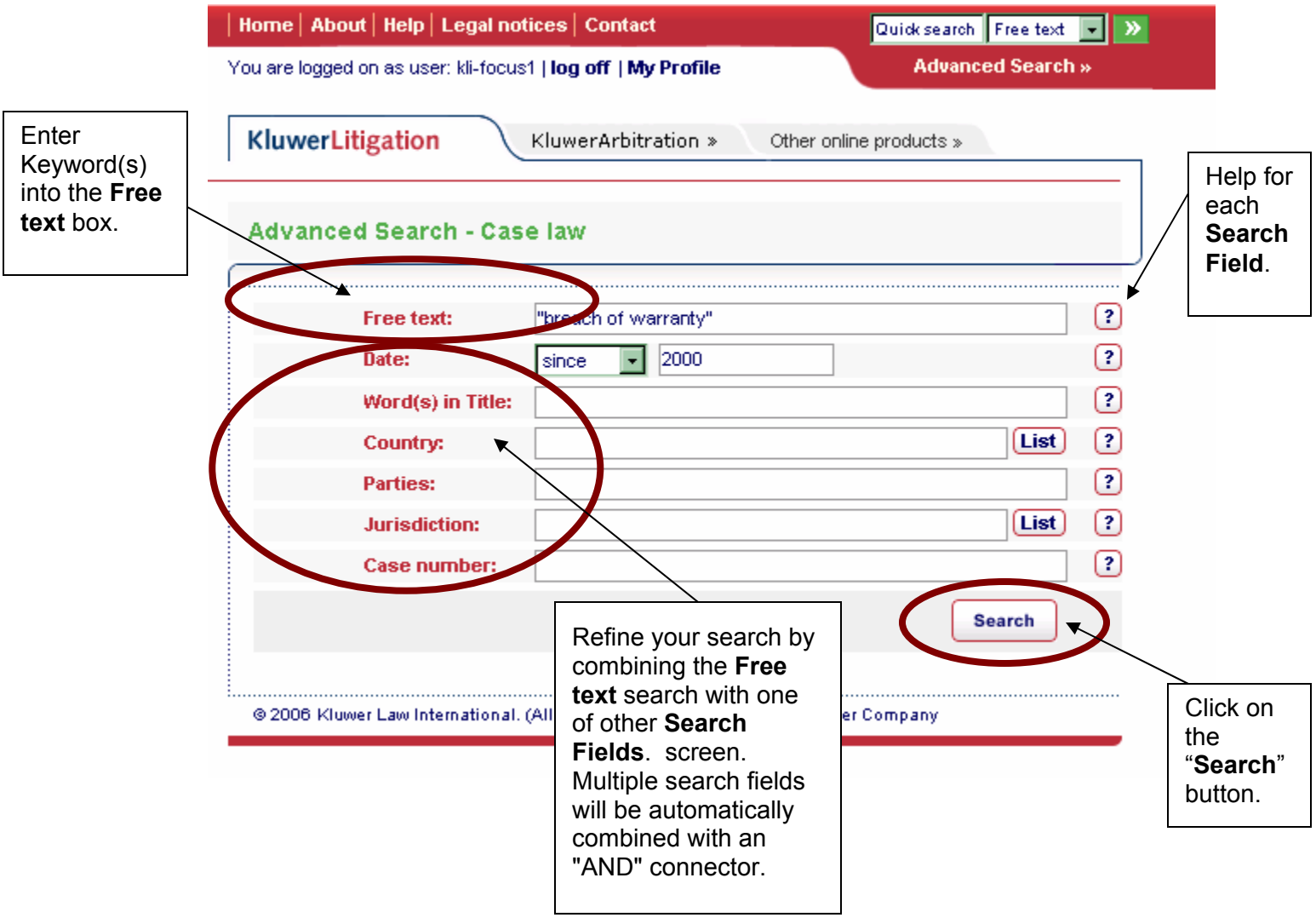
Advanced Search (Continued)

With the Advanced Search, regardless of which form you choose, you can find documents in a few easy steps:

1. **Enter keywords into the Free Text box.**

2. **To refine your search, enter additional information in the other Search Fields. (**Depending on the category you are searching in, the Search form will contain various search fields.)*

3. **Click the "Search" button.**


Home | About | Help | Legal notices | Contact
Quick search
Free text
You are logged on as user: kli-focus1 | log off | My Profile
Advanced Search »
KluwerLitigation
KluwerArbitration »
Other online products »
Advanced Search - Case law
Free text:
"breach of warranty"
Date:
since
2000
Word(s) in Title:
Country:
List
Parties:
Jurisdiction:
List
Case number:
Search
© 2006 Kluwer Law International. (All
er Company
Enter Keyword(s) into the **Free text** box.
Help for each **Search Field**.
Refine your search by combining the **Free text** search with one of other **Search Fields**. screen. Multiple search fields will be automatically combined with an "AND" connector.
Click on the "**Search**" button.

**Note: For a specific description of each Search Field, turn to Appendix A in the back of this guide.*

Search Function Rules

Symbols used in search fields

In the search form fields, you can use the following symbols to refine your search term(s):

Symbols	*Meaning*
"…"	to define a phrase rather than a simple collection of terms
*****	wildcard to replace one or more characters
?	wildcard to replace a single character

Boolean connectors

You can use Boolean connectors to combine different kinds of searches within one search field. You can choose whether you want to enter the word or the related symbol. You can use the following Boolean operators to refine your search term(s):

Boolean connectors	*Symbols*	*Meaning*
AND	/	search for documents containing each term at least once
OR		search for documents containing at least one of the terms
NOT	**-**	search for documents containing the first term but not the second
NEAR		search for documents containing the search terms in proximity of each other

Note: Parentheses are necessary in search queries in which AND and OR are both used.

Banned symbols

Some symbols cannot be used in any of the search fields - they will cause the search to return an error message. These symbols mostly comprise of non-English characters like:

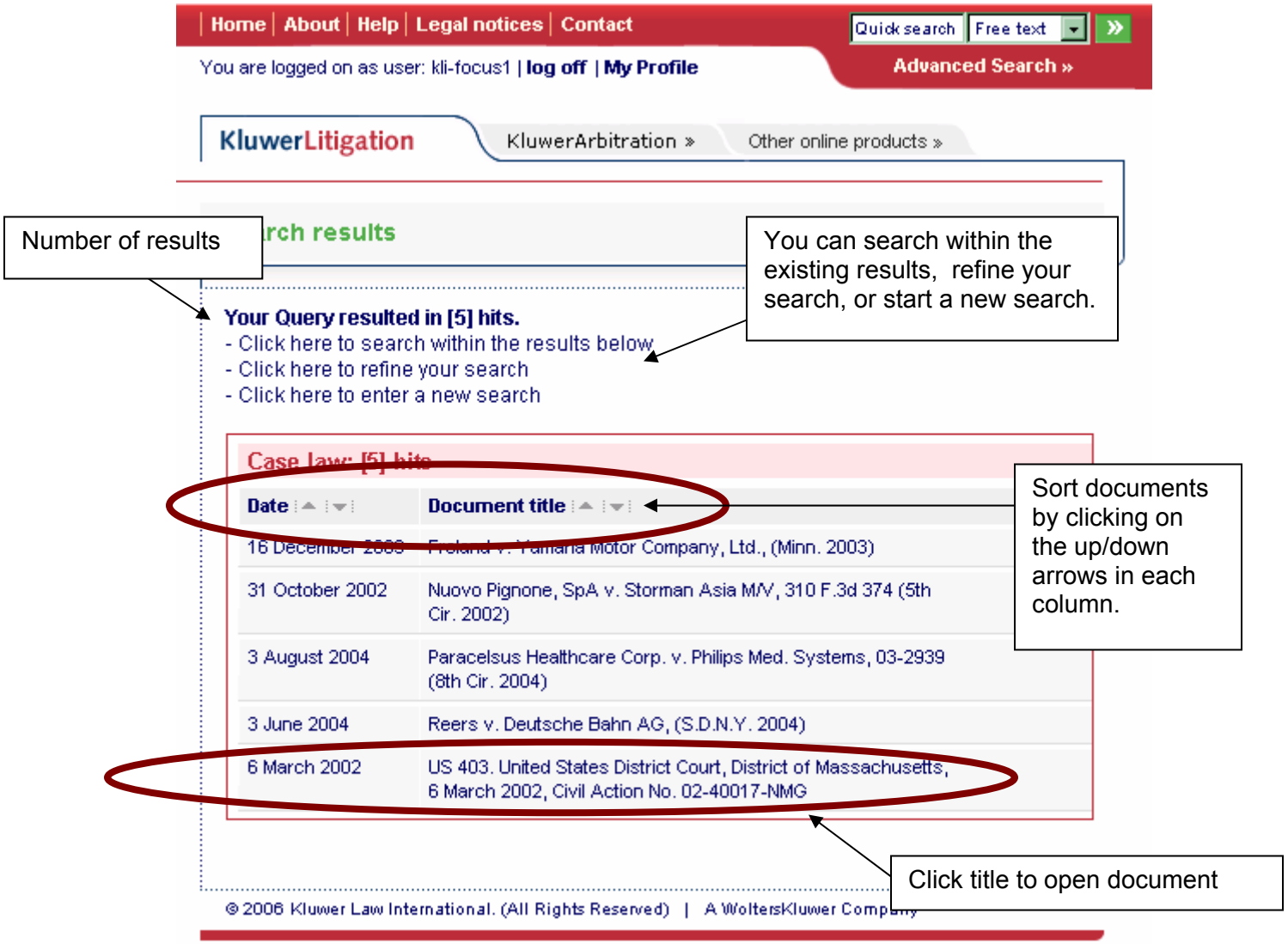
硯, ©, 餞, й, д, س, ر, ه, ف, ل

Search Results

By default, your hit list is sorted by document category. The three categories: **Legal Text**, **Case law** and **Commentary** are listed in their own tables.

The documents in the tables are sorted alphabetically by document title. Per category, the following options are available to sort the documents in the tables:

- Legal texts can be sorted by date or document title;
- Case law can be sorted by date or document title; and
- Commentary can be sorted by document title or publication source.


Home | About | Help | Legal notices | Contact
Quick search
Free text
You are logged on as user: kli-focus1 | log off | My Profile
Advanced Search »
KluwerLitigation
KluwerArbitration »
Other online products »
Number of results
You can search within the existing results, refine your search, or start a new search.
Your Query resulted in [5] hits.
- Click here to search within the results below
- Click here to refine your search
- Click here to enter a new search
Case law: [5] hits
Date
Document title
31 October 2002
Nuovo Pignone, SpA v. Storman Asia M/V, 310 F.3d 374 (5th Cir. 2002)
3 August 2004
Paracelsus Healthcare Corp. v. Philips Med. Systems, 03-2939 (8th Cir. 2004)
3 June 2004
Reers v. Deutsche Bahn AG, (S.D.N.Y. 2004)
6 March 2002
US 403. United States District Court, District of Massachusetts, 6 March 2002, Civil Action No. 02-40017-NMG
Sort documents by clicking on the up/down arrows in each column.
Click title to open document
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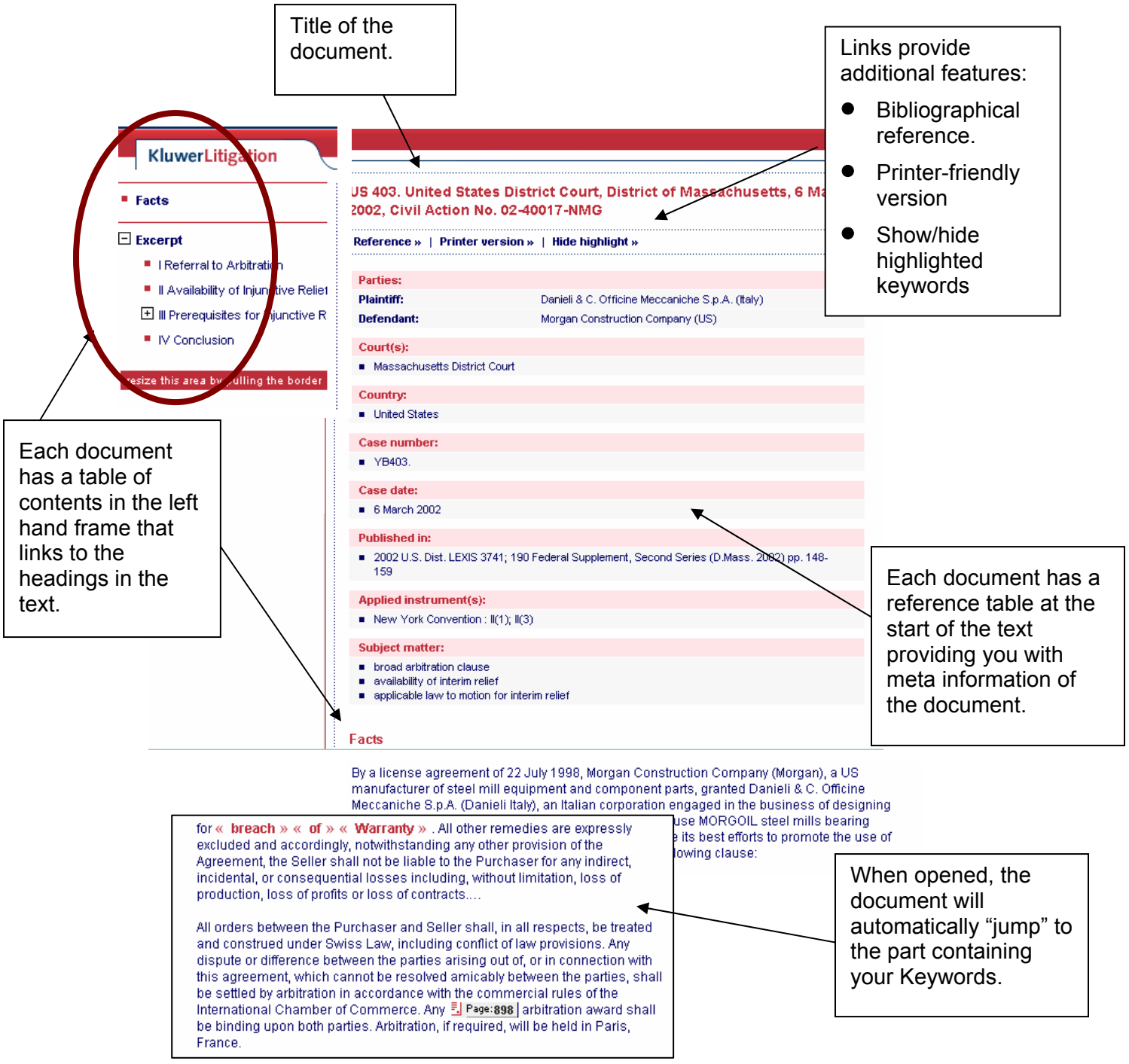
Viewing a Document

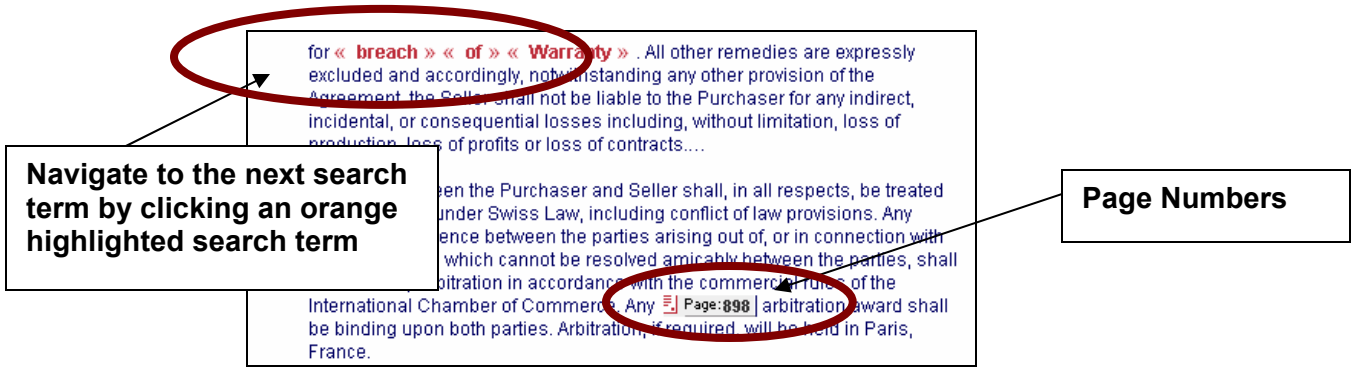
Click on the title of a document to view the full text. The document will automatically jump to the part containing your keywords.


Title of the document.
Links provide additional features:
Bibliographical reference.
Printer-friendly version
Show/hide highlighted keywords
KluwerLitigation
Facts
Excerpt
I Referral to Arbitration
II Availability of Injunctive Relief
III Prerequisites for Injunctive R
IV Conclusion
Reference » | Printer version » | Hide highlight »
Parties:
Plaintiff: Danieli & C. Officine Meccaniche S.p.A. (Italy)
Defendant: Morgan Construction Company (US)
Court(s):
Massachusetts District Court
Country:
United States
Case number:
YB403.
Case date:
6 March 2002
Published in:
2002 U.S. Dist. LEXIS 3741; 190 Federal Supplement, Second Series (D.Mass. 2002) pp. 148-159
Applied instrument(s):
New York Convention : II(1); II(3)
Subject matter:
broad arbitration clause
availability of interim relief
applicable law to motion for interim relief
Facts
By a license agreement of 22 July 1998, Morgan Construction Company (Morgan), a US manufacturer of steel mill equipment and component parts, granted Danieli & C. Officine Meccaniche S.p.A. (Danieli Italy), an Italian corporation engaged in the business of designing
for « breach » « of » « Warranty » . All other remedies are expressly excluded and accordingly, notwithstanding any other provision of the Agreement, the Seller shall not be liable to the Purchaser for any indirect, incidental, or consequential losses including, without limitation, loss of production, loss of profits or loss of contracts....
All orders between the Purchaser and Seller shall, in all respects, be treated and construed under Swiss Law, including conflict of law provisions. Any dispute or difference between the parties arising out of, or in connection with this agreement, which cannot be resolved amicably between the parties, shall be settled by arbitration in accordance with the commercial rules of the International Chamber of Commerce. Any Page: 898 arbitration award shall be binding upon both parties. Arbitration, if required, will be held in Paris, France.
Each document has a table of contents in the left hand frame that links to the headings in the text.
Each document has a reference table at the start of the text providing you with meta information of the document.
When opened, the document will automatically “jump” to the part containing your Keywords.

Viewing a Document (Continued)

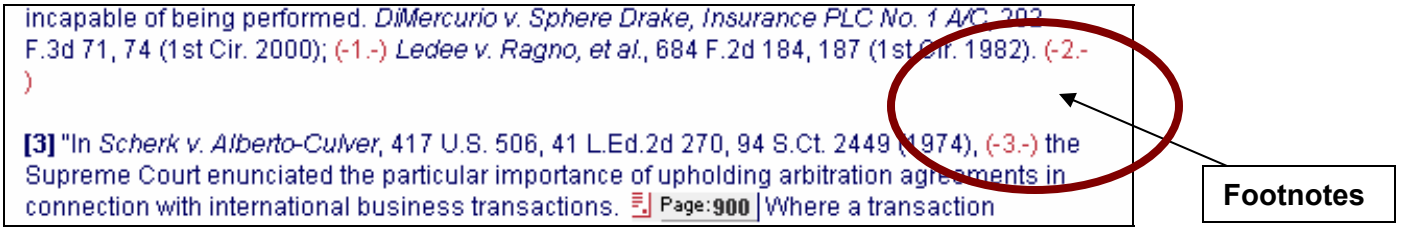
Highlighted Keywords

Your Keywords will be highlighted throughout each document. You can “jump” from Keyword to Keyword using the red arrows.


for « breach » « of » « Warranty » . All other remedies are expressly excluded and accordingly, notwithstanding any other provision of the Agreement, the Seller shall not be liable to the Purchaser for any indirect, incidental, or consequential losses including, without limitation, loss of production, loss of profits or loss of contracts....
Page:898
Navigate to the next search term by clicking an orange highlighted search term
Page Numbers

Page Numbers

Documents derived from printed publications contain references to the page numbers of these publications. The page break symbols of the original printed publication will remain visible upon printing the document..


incapable of being performed. DiMercurio v. Sphere Drake, Insurance PLC No. 1 A/C, 202 F.3d 71, 74 (1st Cir. 2000); (-1.-) Ledee v. Ragno, et al., 684 F.2d 184, 187 (1st Cir. 1982). (-2.-)
[3] "In Scherk v. Alberto-Culver, 417 U.S. 506, 41 L.Ed.2d 270, 94 S.Ct. 2449 (1974), (-3.-) the Supreme Court enunciated the particular importance of upholding arbitration agreements in connection with international business transactions.
Page:900
Where a transaction
Footnotes

Footnotes

Footnotes – Click on a linked footnote to jump to bottom of document. Use the Back Browser command to return to prior location in the document.

Use the

icons to return to the top of the document.

Saving your Research

There are several ways to save your research from KluwerLitigation.

Printing

- Use Browser commands, File / Print, to print out contents of a web frame.
- User KluwerLitigation built-in link, **Printer version**, (at top of each document) to open a new web page with text-only version of the document. This will still include page numbers and footnote links, but no graphics, bolding, or highlights.

Note: If a PDF printer is available on your network, you can use File / Print from browser command to save to a PDF file.

- To print only a portion of a web page, highlight desired content, use Browser commands File / Print, choose Selection, and click Print.

Copy & Paste

- Use Browser commands to select and copy (Ctrl/C) desired text. You can then paste (Ctrl/V) your selection into another application.

Getting Help

You have several choices for obtaining additional help when using KluwerLitigation.

- Under **Help** you can find the following information: Help and FAQ. The Help option takes you to the starting point of this User Manual and FAQ option takes you to Frequently Asked Questions page.

- On the **Contact** page you can find out how to contact our sales team, our technical support, the publisher, our rights and permissions staff and our technical support staff.

- In the Contact section, you will also find a **Kluwer Law Online feedback form** and a list of our office addresses including maps and route descriptions.

- For access and other technical problems: L**oisLaw Technical Support** (24 hours a day / 7 days a week):

  Toll-Free (North America only): **1.877.471.5632**
  Email address: **techsupport@loislaw.com**

For additional CCH INCORPORATED product information, go to**:**
http:/www.cch.com

- To register for CCH Legal interactive telephone training, go to**:**
  http://business.cch.com/legalprotraining

Appendix A: Search Fields

1. Free text

- The search will return all documents containing the specified term(s) anywhere in the text.
- Enter a search term or terms. Each term must comprise two or more characters.
- You can use the available Boolean connectors ("**AND**", "**OR**", "**NOT**", "**NEAR**").
- You can refine your search by combining the free text search with one of the further options lower down on the search screen. Multiple search fields will be automatically combined with an "**AND**" connector.

2. Author(s)

- The search will return all documents containing the specified term(s) in the 'author' and 'editor'. No distinction is made between first names and surnames.
- You can use the available Boolean connectors.

3. Date

- The search will return all documents with a specified date (such as case date, date of signature, date of entry into force, or year of publication for commentary).
- You can enter dates in the following formats:
  yyyy-mm-dd
  yyyy-mm
  yyyy
- The default search field specifies 'on' for the date - i.e. only documents will be found with that specific date. You can change this option to:

on	to search on the exact specified date
between	to specify a date range with a defined start and end date (a second date field appears to allow you to enter the end date)
since	to specify a date range with a defined start date
before	to specify a date range with a defined end date

- NB: Some Legislation documents contain several dates. In this case, only one 'main' date is distinguished. This will be the date of entry into force if it is available.

4. Word(s) in title

- The search will return all documents containing the specified term(s) in the 'document title'. Note that this is the equivalent of the short document reference in a document list at the end of a browse tree or the title in the retrieved document.
- Enter a search term or terms. Each term must comprise two or more characters.
- You can use the available Boolean connectors.

5. Parties

- The search will find all documents containing the specified term(s) for one party only. Please note that you cannot search for both the plaintiff and defendant of a case in one document using the "**AND**" Boolean connector. You can use the "**OR**" Boolean connector when you search for multiple party names.
- Enter a search term or terms. Each term must comprise two or more characters.
- You can use the available Boolean connectors.

6. Country

- The search will return all documents pertaining specifically to the countries selected.
- Click the "**List**" button to the right of the field to view a pop-up list of available countries. Navigate to the country or countries you would like to search on and select them by clicking on the entry. The country will automatically be copied to your search field. If you select several countries, they will be combined with the "**OR**" Boolean connector automatically.
- Please note that you cannot search for multiple countries in one document using the "**AND**" Boolean connector. This will result in 0 hits

7. Source

- The search will return all documents pertaining specifically to the sources selected.
- Click the "**List**" button to the right of the field to view a pop-up list of available sources. Navigate to the source or sources you would like to search on and select them by clicking on the entry. The source will automatically be copied to your search field. If you select several sources, they will be combined with the "**OR**" Boolean automatically.

8. Document number

- The search will return all documents containing the specified document number(s) in the "**Document number**". This field pertains to legal texts only and is subject to availability. For case law the "**Case number**" search field should be used.
- Enter a search term or terms. Each term must comprise two or more characters.
- You can use the available Boolean connectors.

9. Case number

- The search will return all case law containing the specified case number(s) in the "**Document number**". This field is subject to availability.
- Enter a search term or terms. Each term must comprise two or more characters.
- You can use the available Boolean connectors

10. Jurisdiction

- The search will return all documents pertaining specifically to the jurisdictions selected.
- Click the "**List**" button to the right of the field to view a pop-up list of available jurisdictions. Navigate to the jurisdiction or jurisdictions you would like to search on and select them by clicking on the entry. The jurisdiction will automatically be copied to your search field. If you select several jurisdictions, they will be combined with the "**OR**" Boolean automatically.
- Please note that you cannot search for multiple jurisdictions in one document using the "**AND**" Boolean connector. This will result in 0 hits.